

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CXE 16-015613
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
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Kathleen M. Magoon - 040682010
Elizabeth L. Wassall - 023211995
ATTORNEYS FOR U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE, FOR LEHMAN
MORTGAGE TRUST MORTGAGE PASS THROUGH
CERTIFICATES SERIES 2006-2

In Re:

NICHOLAS PEZZA AND JEANETTE PEZZA,
DEBTORS

Case No.: 23-14796-RG

Judge: HONORABLE ROSEMARY
GAMBARDELLA

Chapter: 13

NOTICE OF OBJECTION TO CONFIRMATION

The undersigned, LOGS Legal Group LLP, attorneys for the Secured Creditor, U.S. Bank National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2, the holder of a Mortgage on Debtors' property located at 878 River Drive, Elmwood Park, NJ 07407, hereby objects to the Confirmation of the Debtors' proposed Chapter 13 Plan, ECF # 4, on the following grounds:

1) Debtors' proposed Chapter 13 Plan does not provide for the total claim payoff of the mortgage to Secured Creditor during the life of the plan. Upon information and belief, the subject Mortgage loan matures during the pendency of the Bankruptcy term. Secured Creditor is owed an *estimated* \$351,535.11 total claim.

2) Debtors' proposed Chapter 13 Plan does not provide for the Secured Creditor to receive distributions with a value equal to the allowed amount of its claims required by 11 U.S.C.1325(a)(5)(B)(ii).

3) Debtors' proposed Chapter 13 Plan provides for a potential loan modification offer, which is speculative, and does not provide direction in the event this loan modification is not offered.

WHEREFORE, U.S. Bank National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2 respectfully requests that the Confirmation of Debtors' Chapter 13 Plan be denied, and that the Debtor be required to file an Amended Chapter 13 Plan providing for full payment of total claim due to the Secured Creditor.

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Elizabeth L. Wassall - 023211995

Dated: 6-12-2023

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CERTIFICATION OF SERVICE

I, Valerie Feliz the undersigned

1. ☐ represent the _____ in the above-captioned matter.
☒ am the secretary/paralegal for Kathleen M. Magoon, Esquire and Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.
☐ am the _____ in the above case and am representing myself.
2. On 6/12/2023, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:
 - Notice of Objection to Confirmation
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 6/12/2023

/s/Valerie Feliz
Printed Name

| Name and Address of Party Served | Relationship of Party to the Case | Mode of Service |
|---|-----------------------------------|---|
| Robert Cameron Legg Oliver & Legg 2240 Highway 33 Suite 112 Neptune, NJ 07753 | | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |
| Marie-Ann Greenberg 30 Two Bridges Road Suite 330 Fairfield, NJ 07004 | | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |
| Nicholas Pezza 488 Dewey Avenue Saddle Brook, NJ 07663 Jeanette Pezza 878 River Drive Elmwood Park, NJ 07407 | | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |
| | | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.